

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WISCONSIN

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In re: Jennifer & Israel R. McKinney

Case No. 22-11558-13

Debtor(s)

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TRUSTEE'S OBJECTION TO AMENDED CHAPTER 13 PLAN and AMENDED  
SCHEDULES

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Mark Haring, Standing 13 Trustee, by his attorney, objects to confirmation of the Amended Chapter 13 Plan and Request to Amend Unconfirmed Plan filed as Document #149 on 10/20/2023 together with Amended Schedules I&J filed as Document #148 on 10/20/2023 and states as follows:

1. Plan is amended to provide for plan payments of \$20,750/mo for the final 39 months of a 60 month plan. We note the Amended Plan filed in April 2023 provided for the current plan payments of \$15,000/mo to continue until the final 15 months when payments increased to \$22,000/mo so the earlier start of the final stepped payments increases the total estimated payments from \$990,000 to \$1,109,250, an increase of \$119,250. We acknowledge the amended budget supports the debtors' ability to make the plan payments but, as will be detailed below, the plan payments must be increased.
2. Plan is amended to increase total attorney fees from \$25,000 to \$30,000. There is a notation that the amount will be subject to Court approval so we anticipate a separate Fee Disclosure will be filed.
3. Plan is amended to reflect the direct payment of the secured obligation due Marine Credit Union for the sale of the debtors' homestead.
4. Plan is amended to include an extensive post-petition agreement with IRS, referred to in the first Nonstandard Provision and attached to this filing. We note the agreement details the agreement intended to allow the secured portion of the debtors' obligation to IRS to be paid beyond the 60 month plan term.
5. Plan is amended to include a new Nonstandard Provision which anticipates an additional \$120,000 of post-petition priority tax debt for the debtors' 2022 tax obligation. It is our understanding this new amount is to be paid by this office. As noted above, the total plan payments have increased \$119,250, however if our office is to pay this new obligation we will require a total plan payment increase of \$129,032.26 to cover the tax amount plus applicable

trustee fees at 7%. General unsecured creditors should not receive less due to the debtors' inability to remain current on their post-petition tax obligations. It is for this reason our office objects to this plan and the amended budget.

Dated: November 10, 2023

Standing Chapter 13 Trustee

By: /s/ *Leslie Brodhead Griffith*

Leslie Brodhead Griffith

Attorney for Trustee

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